

---

State of Idaho  
Legislative Services Office  
Management Report

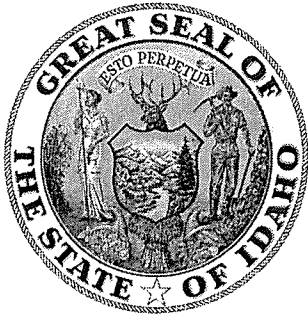
A communication to the Joint Finance-Appropriations Committee

---

**STATE APPELLATE PUBLIC DEFENDER**  
**FY 2006, 2007, and 2008**

Report IC44308  
Date Issued: August 28, 2008

*Serving Idaho's Citizen Legislature*



Don H. Berg, Manager

**Idaho Legislative Services Office  
Legislative Audits Division**

**STATE APPELLATE PUBLIC DEFENDER**

## **SUMMARY**

---

### **PURPOSE OF MANAGEMENT REVIEW**

We conducted a management review of the State Appellate Public Defender's office covering the fiscal years ended June 30, 2006, 2007, and 2008. Our review covered general administrative procedures and accounting controls to determine that activities are properly recorded and reported.

The intent of this review was not to express an opinion, but to provide general assurance on internal controls and to raise the awareness of management and others of any conditions and control weaknesses that may exist and offer recommendations for improvement.

### **CONCLUSION**

We did not identify any significant conditions or weaknesses in the general administrative and accounting controls of the office.

### **FINDINGS AND RECOMMENDATIONS**

There are no findings and recommendations in this report or in the prior report.

A copy of the entire report is available at <http://www.legislature.idaho.gov/audit/index.htm>, or by calling 208-334-4832.

### **AGENCY RESPONSE**

The State Appellate Public Defender has reviewed the report and is in general agreement with its contents.

### **FINANCIAL INFORMATION**

The following financial data is for informational purposes only.

**STATE APPELLATE PUBLIC DEFENDER - FINANCIAL SUMMARY**

	<u>FY 08</u>
General Fund Appropriation	\$2,084,200
Prior Year Encumbrances	<u>69,384</u>
Total Appropriation	<u>\$2,153,584</u>
Personnel	\$1,529,078
Operating	<u>526,250</u>
Total Expenditures	<u>\$2,055,328</u>
Outstanding Encumbrances	<u>\$86,711</u>
Reversions	<u><u>\$11,545</u></u>

This report is intended solely for the information and use of the State of Idaho and the State Appellate Public Defender and is not intended to be used by anyone other than these specified parties.

We appreciate the cooperation and assistance given to us by chief public defender, Molly Huskey, and her staff.

**ASSIGNED STAFF**

Chris Farnsworth, CPA, Managing Auditor

Eric Bjork, Staff Auditor

# TABLE OF CONTENTS

---

Agency Response .....	1
Appendix .....	2

## AGENCY RESPONSE

---



## STATE OF IDAHO

OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER

August 11, 2008

Don H. Berg, Manager  
Legislative Services Office  
Audit Division  
P.O. Box 83720  
Boise, ID 83720-0054

RE: Legislative Audit FY 2006, 2007 & 2008

Dear Mr. Berg:

The Office of the State Appellate Public Defender is in receipt of the draft of your FY 2006, 2007, 2008 Management Report on Internal Control. We have reviewed your report and are pleased that you found that the internal controls were materially adequate and that there were no reportable findings or recommendations.

This office is satisfied with the report as submitted and has nothing further to add to it. We thank you for your thorough review of our management systems and for the positive report.

Sincerely,

A handwritten signature in black ink, appearing to read "Molly Huskey", written over the printed name.

MOLLY J. HUSKEY  
State Appellate Public Defender

MJH/aml

Cc: Roger Brown, Division of Financial Management

01

# APPENDIX

---

## **HISTORY AND STATUTORY AUTHORITY**

Authority for the establishment and operation of the State Appellate Public Defender's office is contained in Idaho Code, Sections 19-867 through 19-872. The office began operation on July 1, 1998.

## **PURPOSE**

The State Appellate Public Defender's office provides legal representation to indigent defendants upon appeal of their criminal convictions. The office was established to reduce the burden of such legal costs to the counties.

The office also provides representation for indigent defendants in felony criminal actions in the following cases (occurring on or after September 1, 1998):

- Appeals from convictions in district court.
- Appeals from the district court in habeas corpus proceedings brought pursuant to Idaho Code, Title 19, Chapter 42.
- Appeals from the district court in post-conviction relief proceedings brought pursuant to Idaho Code, Title 19, Chapter 49.
- Post-conviction relief proceedings in district court in capital cases where the appellant was sentenced on or after September 1, 1998, or where the court has appointed the State Appellate Public Defender or the State Appellate Public Defender has accepted the request by the court for representation in the case, and such event occurred on or after July 1, 1998, but before March 1, 1999.

## **FUNDING**

The Office receives an annual General Fund appropriation.

## **ORGANIZATION**

The Office is headed by the State Appellate Public Defender, who supervises staff comprising three units: capital litigation, appellate, and administrative support.